



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Fallaux et al.

Serial No.: 10/618,526

Filed: July 11, 2003

For: PACKAGING SYSTEMS FOR
HUMAN RECOMBINANT ADENOVIRUS
TO BE USED IN GENE THERAPY

Confirmation No.: 5055

Examiner: D. Nguyen

Group Art Unit: 1632

Attorney Docket No.: 2578-3833.9US

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Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO/SB/08 be considered by the Examiner and made of record. Copies of the listed documents are enclosed pursuant to 37 C.F.R. § 1.98(a).

08/09/2005 EFLORES 00000021 10618526

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Other Documents

WHITE et al., Adenovirus E1B 19-Kilodalton Protein Overcomes the Cytotoxicity of E1A Proteins, *Journal of Virology*, June 1991, pp. 2968-78, Vol. 65, No. 6.

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GenBank Accession No. X02996.1, 1993, "Adenovirus type 5 left 32% of the genome."

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MARCK, CHRISTIAN, 'DNA Strider': a 'C' program for the fast analysis of DNA and protein sequences on the Apple Macintosh family of computers, *Nucleic Acids Research*, 1988, pp. 1829-36, Vol. 16, No. 5.

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ROWE et al., Establishment and Characterization of Hamster Cell Lines Transformed by Restriction Endonuclease Fragments of Adenovirus 5, *Journal of Virology*, Jan. 1984, pp. 162-70, Vol. 49, No. 1.

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NCBI database excerpt: Locus AC_000008 (human adenovirus type 5)

RHIM, JOHNG S., Development of Human Cell Lines from Multiple Organs, 2000, *Annals New York Academy of Sciences*, pp. 16-25.

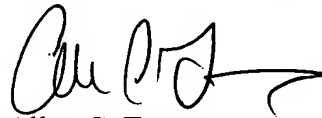
Notice of Opposition to a European Patent by Serono International S.A. filed against Patent No. 0 833 934 (July 5, 2005).

Opposition lodged by Cevec Pharmaceuticals GmbH against European Patent 0 833 934 (July 5, 2005).

Serial No.: 10/618,526

Although this Supplemental Information Disclosure Statement is filed after the issuance of a final office action, pursuant to 37 C.F.R. § 1.97(d), the undersigned submits that, to the best of his information and belief, "that each item of information contained in the [supplemental] information disclosure statement was first cited [a] communication (*i.e.*, transmittals of notices of opposition) from a foreign patent office (*i.e.*, the European Patent Office) in a counterpart foreign application not more than three months prior to the filing of the [supplemental] information disclosure statement". 37 C.F.R. § 1.97(e)(1). The fee set forth in 37 C.F.R. § 1.17(p) accompanies this Supplemental Information Disclosure Statement.

Respectfully submitted,



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Date: August 5, 2005
ACT/bv

Enclosures: Form PTO/SB/08
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet

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of

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Complete if Known

Application Number	10/618,526
Filing Date	July 11, 2003
First Named Inventor	Fallaux et al.
Group Art Unit	1632
Examiner Name	D. Nguyen
Attorney Docket Number	2578-3833.9US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		WHITE et al., Adenovirus E1B 19-Kilodalton Protein Overcomes the Cytotoxicity of E1A Proteins, Journal of Virology, June 1991, pp. 2968-78, Vol. 65, No. 6.	
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Group Art Unit	1632
Examiner Name	D. Nguyen
Attorney Docket Number	2578-3833 911S

NON PATENT LITERATURE DOCUMENTS

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		RULEY, H. EARL, Adenovirus early region 1A enables viral and cellular transforming genes to transform primary cells in culture, Nature, August 1983, pp. 602-06, Vol. 304.	
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